

P R O G R A M M E M O

Date: December 15, 2004

Program Memo: Title 390, CAPTA required Referrals to Early Intervention Services
#5-2004

From: Todd Reckling, Protection and Safety Administrator

Signed by: _____, Director
Department of Health and Human Services
_____ (Date)

To: Protection and Safety Staff

Re: CAPTA required Referrals to Early Intervention Services

Effective Date: Upon Receipt

The Keeping Children Safe Act of 2003 amended CAPTA, the Child Abuse Prevention and Treatment Act (PL 108-36), and was signed into law on June 25, 2003. This law includes the requirement that Protection and Safety staff refer a child under the age of 3 who is involved in a substantiated case of child abuse or neglect to the Early Development Network for early intervention services funded under Part C of the Individuals with Disabilities Education Act.

The purpose of this memo is to explain the process for making those referrals and what is to be expected once the referral is made.

Referrals to Early Development Network must be made within two (2) working days of the allegation findings. The PS-90 form (attached) must be used when making the referral for services. Once the referral is received by the Early Development Network, a service coordinator will be assigned. Within seven (7) calendar days of receiving the referral, the Service Coordinator will make contact with the family. The family can refuse services at this point and the Service Coordinator will make no further follow-up with the family. If there is court involvement and there are developmental concerns, the Protection and Safety Worker will recommend to the Court that the child is evaluated/assessed through the Early Development Network. Once contact has been made with the family by service coordination and next steps have been identified, the Protection and Safety Worker will receive a notice of action for the case file.

The Early Development Network will determine service provision for eligible children and families. The Service Coordinator will only provide services to meet the developmental needs of the child, once the child qualifies for the program. The Protection and Safety Worker remains responsible for all services related to Protection and Safety's involvement with the child and the family.

Our collaboration with the Early Development Network will make things better for the children we serve.

Roles and Responsibilities for CAPTA

The Keeping Children Safe Act of 2003 amended CAPTA, the Child Abuse Prevention and Treatment Act (PL 108-36), and was signed into law on June 25, 2003. This law includes the requirement that Protection and Safety refer a child under the age of 3 who is involved in a substantiated case of child abuse or neglect to Early Development Network for early intervention services funded under Part C of the Individuals with Disabilities Education Act (section 106(b)(2)(A)(xxi))." Part C is a component of PL 105-17, IDEA (Individuals with Disabilities Education Act). Agencies providing Part C services are required to provide comprehensive, coordinated, multidisciplinary, early intervention for infants and toddlers with disabilities or developmental delays and their families.

Protection and Safety	Early Development Network
Philosophical Base	
The Nebraska Department of Health and Human Services (Department) Protection and Safety Division provides family-centered services to protect children from abuse and neglect, to improve conditions in families that place children at risk, and assisting youth to be productive and law-abiding citizens.	The goal of services coordination is to give families a good start in supporting their child with a disability and to develop their own skills in accessing, utilizing, and coordinating supports within their natural environments. "Natural environments means settings that are natural or normal for the child's age peers who have no disabilities." (34 CFR 303.18)
Referral	
<ul style="list-style-type: none"> At initial assessment, the primary roles of the Protective and Safety Worker are to gather information to validate maltreatment or allegations on a court petition and to determine what services, if any are needed. The priority at this phase is securing child safety with attention to working with the family to preserve the family unit whenever possible. Protection and Safety Initial Assessment Worker completes Protection and Safety referral form (PS-90) and sends it to Early Development Network Services Coordination Agency no more than two (2) working days after a case of abuse or neglect has been substantiated. Family is informed of referral to Early Development Network. If child is a state ward Protection and Safety worker sends state ward notification letter to school district. If an intake has been received within 6 months (180 calendar days) or less after an initial referral to Early Development Network has been made, a new referral is not necessary. 	<ul style="list-style-type: none"> The Early Development Network Services Coordinator contacts family to set up home visit to discuss Early Development Network Program (or family declines to meet). At the home visit Early Development Network Services Coordinator explains program and gets consent to evaluate child (or family declines to participate). School determines need of surrogate parent based on Rule 51 if child is a state ward and shares information with Early Development Network services coordinator. School begins the process of verification for special education for child not already in special education program. Early Development Network Services Coordinator notifies Protection and Safety worker of child's special education eligibility. If found not eligible Early Development Network services coordinator sends HHS 6 notification and school sends family notice of ineligibility.

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The Case is Opened for Ongoing Services	
Evaluation/Review	
Ongoing cases are reviewed every 6 months (180 calendar days) if court is involved.	<p>A review of the IFSP plan must be conducted every six months or more frequently if needed.</p> <p>A meeting must be conducted at least annually to evaluate and develop a new IFSP.</p>
Case Closure	
Case plan and goal have been met and the child is no longer at risk of maltreatment.	Services Coordinator makes sure that transition planning is started early enough to assure that the family as well as child needs are addressed and referrals and coordination with other programs can be done in a quality way. An infant or child with a disability and their family are eligible until August 31 st of the child's third birthday, the services are no longer needed, or the family declines services.